

COUNCIL SESSION 96-11
December 16-17, 1996

SUMMARY RECORD

Alternate Representatives met in Montreal on December 16-17, 1996. The agenda and the list of delegates can be found as Annexes "A" and "B" respectively. Mr. William Nitze (USA) chaired the meeting. Mr. Anthony Clarke and Mr. José Luis Samaniego represented Canada and Mexico, respectively. Mr. Jonathan Plaut (outgoing Chair of JPAC), Ms. María Cristina Castro (incoming Chair of JPAC), and Mr. Victor Lichtinger, Executive Director of the Secretariat, also participated in the meeting. Mr. Marc Paquin acted as Secretary. Other officials were in attendance.

Item 1 Approval of the Agenda

The Chair requested that item 14 be changed to language accuracy because this item also includes a discussion of the revision of the French version of the NAAEC. Mexico requested that the agenda be modified and that updates on the reports under Article 13 and on the Cozumel Article 14 submission be added to the agenda. It was agreed that these items would be dealt with in the Remarks by the Executive Director. The agenda was approved as modified further to the Chair's request.

Item 2 Remarks by Chair of JPAC

The JPAC Chair congratulated María Cristina Castro on her recent appointment as the new JPAC Chair effective January 1, 1997. Canada welcomed the province of Quebec as a new member of the Canadian delegation further to the inclusion of Quebec to Canada's declaration under Annex 41 of the NAAEC. The JPAC Chair reported that at their November 7-8, 1996 JPAC Strategic Planning Session, the JPAC discussed its vision statement and concluded that it continues to reflect the mandate of JPAC. The JPAC Chair then reported on the JPAC Advices to the Council following its November 7-8, 1996 session.

Advice 96-4 - Proposed Annual Program and Budget for 1997 of the Commission for Environmental Cooperation (CEC): The JPAC Chair reported on a suggestion from JPAC to the Council with regard to program/project development in general, program priorities, specific programs/projects, and the budget.

Advice 96-5 - North American Fund for Environmental Cooperation (NAFEC): The JPAC Chair suggested that NAFEC not be funded out of the 1997 budget, but rather from outside funds such as foundation moneys. Also, JPAC advised that 1997 NAFEC financed projects have a direct relationship to CEC projects to optimize CEC priorities. The JPAC Chair also stated that JPAC feels grants should have a CAN \$100,000 ceiling per year and per organization and that the discretionary fund be changed to a urgent request fund. Parties agreed that it was too late to seek funding sources outside the budget for 1997.

Advice 96-6 - Review of Guidelines on Enforcement Matters under NAAEC Articles 14 and 15: The JPAC Chair reported that JPAC agreed that the delay of time specified in Article 19(1) of the Guidelines should be respected and that the JPAC will revisit the issue at its first meeting in 1997 before proposing any new advice to Council. The JPAC Chair reported that some JPAC members recommend immediate review of the Guidelines with respect to the rules pertaining to confidentiality.

Advice 96-7 -Term of Office for JPAC Members: The JPAC Chair stated that the JPAC advice flows from the need to have a permanent uniform process to ensure the smooth continuation of operations during the transition to a new JPAC membership. He reported that JPAC made three specific proposals in that regard, which are detailed in the Advice.

Advice 96-8 - Charter of Best Practices: The JPAC Chair reported that JPAC supports the concept of a charter related project and encourages the CEC to cooperate with other national and international organizations to produce a registry of North American charters.

Advice 96-9 - Election of JPAC Chair: The JPAC Chair reported that María Cristina Castro has been elected the new JPAC Chair for a one year term beginning on January 1, 1997.

María Cristina Castro introduced the JPAC 1997 Public Consultations Discussion Paper, which presents a proposal concerning the public consultations for 1997 and a revised budget, which was further discussed under item no. 4 (1997 Program and Budget).

Item 3 Remarks by the Executive Director

The Executive Director congratulated the JPAC Chair for his wisdom, experience and leadership throughout the past year and welcomed María Cristina Castro as the incoming JPAC Chair. He then reported that work is going well on the 1996 program and that in early 1997 an update will be provided to Council on the various projects.

Concerning the Secretariat's Article 13 project on Continental Pollutant Pathways, two Working Groups have been created and will meet shortly with the Secretariat to identify the specific scope of this project. With respect to the Cozumel Article 14 submission, the Executive Director reported that the Secretariat is gathering and analyzing information and that the process is advancing well. With regard to the Friends of the Oldman River submission, the Executive Director reported that the Secretariat has asked the government of Canada to respond to the Article 14 submission, and the answer is forthcoming. He also reported that in the coming weeks, the Secretariat will be considering the Huachuca military base Article 14 submission to decide whether or not to ask the US government for a response.

Discussing the obligation of the Council to assess the operation and effectiveness of the NAAEC, the Executive Director suggested the Parties should have a central role in this process and he proposed that, as part of this process, an independent review should be made to give it the right credibility and importance. Mexico suggested that the evaluation process be structured such that it can be carried out on an ongoing basis and that JPAC be involved in the evaluation process.

Concerns were raised by Mexico about the lack of guidance provided to the Secretariat under the Article 15 process. The Executive Director explained that the Secretariat has followed the NAAEC as closely as possible to date and that a full assessment of the process will be possible only once the entire procedure has been followed a number of times. In particular, the Executive Director emphasized that the Secretariat and the Parties have no experience as of yet on how the process will evolve once a draft factual record by the Secretariat is delivered to the Parties. The Canadian Minister of the Environment, Mr. Sergio Marchi, who was in attendance briefly, commented that Articles 14 and 15 comprise an important mechanism for dealing with the Parties' environmental failures. The Minister explained how the Parties have shown maturity by allowing their environmental enforcement records to be scrutinized before the CEC and the North American public. The Minister stressed that transparency in the process must be ensured so that the CEC does not come to be regarded as a "toothless tiger". The Minister also stated that the public would be the judge of how effective the process is in the long run. Nonetheless, the Minister recognized that there is a need to ensure that the effectiveness of the process is not compromised by frivolous submissions. The JPAC Chair reported that the March 1997 JPAC regular session will review the issue of submission guidelines and process, and will do so in light of the lessons learned from the Cozumel submission process. The Executive Director stressed the necessity for the Secretariat to be provided by early January with final dates and a location for the next Regular Session of Council, to be held in June, in order to allow sufficient time for the preparation of the meetings.

Item 4 1997 Program and Budget

This agenda item allowed for a detailed presentation and discussion of the 1997 Program and Budget proposed by the Secretariat. Final approval of each of the projects shall occur at the next Alternate Representatives Session in January 1997. In the interim, the Parties requested that the CEC undertake the following: 1) present the Budget in a format that will allow comparison of the 1996 and 1997 Budgets; 2) provide a breakdown of how funds are allocated within each project; and, 3) provide modified and/or more detailed descriptions of certain projects, including a more detailed account of expected results and time frame for each project.

Further to these discussions, the Secretariat shall provide a breakdown of the various budgetary figures and provide additional information as directed. The General Standing Committee (GSC) shall begin discussions of relevant projects to prepare for the Alternate Representatives session scheduled in January 1997, at which time the Alternate Representatives shall provide final approval of the Program and Budget.

In a separate discussion, the Parties agreed to seek to organize a meeting of the Trade and the Environment Ministers in 1997.

In a separate discussion, the US requested more time to consider the JPAC 1997 Budget. However, since the notices and invitations for the first JPAC meeting scheduled in March 1997 must be issued no later than the second week of January, the Alternate Representatives approved in principle a budget of US \$200,000 for public consultations and of US \$100,000 for JPAC operations. Nevertheless, discussion on the overall JPAC budget is deferred to the next session of Alternate Representatives.

Action: Secretariat/Parties

Item 5 Approval of Summary Records

Parties approved the Summary Records for Sessions 96-00 and 96-10 in the three official languages.

Item 6 1996 Contribution

Canada and Mexico informed the Secretariat that their remaining 1996 contributions shall be paid before the end of 1996.

Action: Canada/Mexico

Item 7 1997 Contribution - Schedule of Payments

Canada and the US agreed to submit their 1997 contributions in accordance with the Schedule of Payments contained in the draft resolution on the 1997 Contribution. Mexico will continue internal consultations to determine their schedule of payments for 1997.

Action: Mexico

Item 8 1996 Annual Report

The Parties discussed and agreed with the Table of Contents and Calendar for the 1996 Annual Report.

Item 9 Next Regular Session of Council

See the Remarks of the Executive Director (Item 3). The US proposed three possible dates for the next regular session of Council: June 2-3, 1997; June 9-10, 1997; or June 12-13, 1997. The dates shall be reviewed by each Party and the Parties shall decide by teleconference before December 20, 1996.

Action: US/Parties

Item 10 North American Fund for Environmental Cooperation (NAFEC)

The Parties discussed JPAC Advice 96-5 and the concern was highlighted that because NAFEC constitutes 20% of the budget, certain projects of the CEC may be receiving less funding than they require. The NAFEC Coordinator described the functioning and experience of NAFEC following the completion of the first two phases of granting. The Parties approved the 1997 Budget allocation of CAN \$2,000,000 for NAFEC and agreed upon the following with respect to the NAFEC funding process: funding shall occur in one phase of granting per year, as opposed to two, the grant ceiling shall be CAN \$100,000 per year; multi-year projects are eligible for grants; and, the NAFEC Guidelines shall be reviewed by the Secretariat and shall stipulate that while eligible projects must fall within the broad priority areas of the CEC, the NAFEC Selection Committee shall have substantial flexibility in making its decisions. The Parties agreed that a general list of all proposals submitted and, upon request, a copy of specific proposals shall be sent to the Parties. The Parties also agreed that JPAC shall work with the Council and the Secretariat to develop a strategy for approaching foundations and other outside sources to provide funding to make up or build over the CAN \$2,000,000 in NAFEC.

Action: Secretariat

Item 11 Calendar of 1997 Sessions

Canada offered to host a meeting in Ottawa on the future vision of the CEC. The Parties agreed that the meeting would take place on January 21, 1997.

Action: Canada/Parties/Secretariat

Item 12 Headquarters Agreement

The Executive Director reported on progress made on the finalization of the Headquarters Agreement and distributed the most recent draft of the Agreement. Explaining that even though the Secretariat is awaiting minor changes to the text and a letter of interpretation clarifying a couple of articles of the Agreement before approving the final draft Agreement, he suggested that Mexico and the United States begin their internal consultations on the Agreement to expedite the process. The Executive Director reported that as soon as the Secretariat is provided with a final draft of the Headquarters Agreement and the letter of interpretation, he will transmit the Agreement to Mexico and the United States. The Executive Director also thanked the Government of Canada for its ongoing support throughout this process. The Parties approved a resolution authorizing the Executive Director to sign the amended Headquarters Agreement on behalf of the Council, further to written acceptance by each Party (Annex C).

Action: Canada/Secretariat/Parties

Item 13 Tax Reimbursement Agreement with the US

The US reported that progress has been made on the issue.

Action: US

Item 14 CEC Rules - Spanish Version (Language Accuracy)

The Parties agreed to delay approval of the Spanish version of the CEC Rules to assess whether such adoption should take place only after the Spanish version of the Agreement has been reviewed. Canada requested final approval from the US and Mexico of the French version of the NAAEC. The US agreed to attempt to speed the process up.

Action: US/Mexico

Item 15 Model Rules for Dispute Settlements

Parties agreed to initiate discussions on Part V - Model Rules for Dispute Settlement of NAAEC at the end of January 1997.

Action: Canada/US/Mexico

Item 16 Term of office of JPAC Members

The Parties discussed this item under the remarks of the JPAC Chair and agreed with the JPAC advice concerning a 1-3 year renewal. However, since the US members of JPAC are appointed by the President of the United States, the legal aspects will have to be looked into to determine if this recommendation can be acted upon and JPAC's Rules of Procedures modified accordingly.

Action: US

Item 17 MOU - Comisión Centroamericana de Ambiente y Desarrollo

The Parties agreed to defer this item to Session 97-01 of the Alternate Representatives in January 1997.

Item 18 North American Regional Action Plan for PCBs

The Parties agreed to defer this item to Session 97-01 of the Alternate Representatives in January 1997.

Item 19 Next Session

This item was discussed and dates were tentatively agreed upon during the discussion on item 11, Calendar of 1997 Sessions.

Adjournment

The Session adjourned at 3:30 PM on December 17, 1996.

Prepared by Marc Paquin, Secretary to Council

ALTERNATE REPRESENTATIVES SESSION 96-11

PROVISIONAL ANNOTATED AGENDA

To be held Monday, December 16 from 10:00 AM to 6:00 PM and continuing on
Tuesday, December 17 from 9:00 AM to 1:00 PM
at the offices of the CEC in Montreal

CHAIR: W. Nitze (USA)

- Item 1 Approval of Agenda
- Item 2 Remarks by the Chair of JPAC
- Item 3 Remarks by the Executive Director
- Item 4 1997 Program and Budget
- Item 5 Approval of Summary Records
- Item 6 1996 Contributions
- Item 7 1997 Contributions - Schedule of Payments
- Item 8 1996 Annual Report
- Item 9 Next Regular Session of Council
- Item 10 North American Fund for Environmental Cooperation
- Item 11 Calendar of 1997 Sessions
- Item 12 Headquarters Agreement
- Item 13 Tax Reimbursement Agreement with the US
- Item 14 Language Accuracy
- Item 15 Model Rules for Dispute Settlements
- Item 16 Term of Office for JPAC Members
- Item 17 MOU - Comisión Centroamericana de Ambiente y Desarrollo
- Item 18 North American Regional Action Plan for PCBs
- Item 19 Next Session

ALTERNATE REPRESENTATIVES SESSION 96-11
ANNOTATIONS TO THE AGENDA

Item 1 Approval of Agenda

Under this item the Parties are asked to approve, as appropriate, the agenda.

ACTION: Approval of the agenda (distributed Dec. 2, 1996)

DOCUMENTS:

- a) Provisional annotated agenda (distributed Dec. 9, 1996) C/C.01/96-11/AGEN/01/Rev.1

Item 2 Remarks by the Chair of JPAC

Under this item the Chair of JPAC will update Council Representatives on JPAC activities (via teleconference). Maria Christina Castro will also participate in the discussions. The Chair of JPAC will present the JPAC Advices on: i) Proposed Annual Program and Budget for 1997 (96-4); ii) NAFEC (96-5); iii) Review of Guidelines on Enforcement Matters under NAAEC Articles 14 and 15 (96-6); iv) Term of office for JPAC Members (96-7) and v) Charter of Best Practices (96-8). The Parties will be asked to discuss the 1997 Public Consultations and the budget allocated for this matter.

ACTION: Information

DOCUMENTS:

- a) JPAC Advice 96-4: Proposed Annual Program and Budget for 1997 of the CEC and Annex Overall CEC Budget for 1997 (pie chart) (distributed Nov. 22, 1996) J/96-05/ADV/04/Rev.2
- b) JPAC Advice 96-5: North American Fund for Environmental Cooperation (NAFEC) and Annex (JPAC Consultation Guidelines (distributed Nov. 22, 1996) J/96-05/ADV/05/Rev.2
- c) JPAC Advice 96-6: Review of Guidelines on Enforcement Matters under NAAEC Articles 14 and 15 (distributed Nov. 22, 1996) J/96-05/ADV/06/Rev.2
- d) JPAC Advice 96-7: Term of office for JPAC Members (distributed Nov. 22, 1996) J/96-05/ADV/07/Rev.2
- e) JPAC Advice 96-8: Charter of Best Practices (distributed Nov. 22, 1996) J/96-05/ADV/08/Rev.2
- f) JAC Advice 96-9: Election of JPAC Chair (to be distributed) J/96-00/ADV/09
- g) 1997 Public Consultations for 1997 (to be distributed) C/C.01/96-11/DISC/01
- h) JPAC Attendance Report N/A

Item 3 Remarks by the Executive Director

Under this item the Executive Director will update Council Representatives on Secretariat activities.

ACTION: Information

DOCUMENTS: No document

Item 4 1997 Program and Budget

Under this item the Parties are asked to review and approve, as appropriate, the Proposed 1997 Annual Program and Budget developed by the Secretariat.

ACTION: Approval of the Proposed 1997 Annual Program and Budget

DOCUMENTS:

- a) Proposed 1997 Annual Program and Budget (distributed Oct. 25, 1996) C/C.01/96-10/DISC/03
- b) Corrigendum to Proposed Annual Program and Budget (distributed Nov. 7, 1996) N/A

- c) JPAC Advice 96-4: Proposed Annual Program and Budget for 1997 of the CEC
(distributed Nov. 22, 1996) J/96-05/ADV/04/Rev.2
- d) Session 96-10 draft Summary Record, p.5 (distributed Dec. 2, 1996) C/C.01/96-10/SR/01/Rev.1

Item 5 Approval of Summary Records

Under this item the Parties are asked to review and approve, as appropriate, the summary records for session 96-10 of Alternate Representatives and the 1996 Council Regular Session (96-00).

ACTION: Approval of the summary records for session 96-10 and the 1996 Council Regular Session (96-00).

DOCUMENTS:

- a) Session 96-10 draft Summary Record (distributed Dec. 2, 1996) C/C.01/96-10/SR/01/Rev.1
- b) Council Regular Session 96-00 draft Summary Record, Rev. 1 (to be distributed) C/C.01/96-00/SR/01/Rev.1

Item 6 1996 Contribution

Under this item the Parties are asked to inform the Secretariat of the expected schedule for completion of their 1996 contributions. As of November 29, the US has contributed its total 1996 contribution of \$US 3,000,000. Canada has contributed \$US 1,465,000, which leaves an unpaid balance of \$US 1,535,000. Mexico has contributed \$US 2,625,000 which leaves an unpaid balance of \$US 375,000.

ACTION: Discussion

DOCUMENTS:

- a) Session 96-10 draft Summary Record, p.1 (distributed Dec. 2, 1996) C/C.01/96-10/SR/01/Rev.1

Item 7 1997 Contribution - Schedule of Payments

Under this item, the Parties are asked to approve a resolution pertaining to the schedule of payments for their 1997 contributions. Council Resolution 94-2 provides that "...each Party should inform the Executive Director by November 15 of the payment schedule for appropriated funds that a Party intends to follow for the subsequent year provided that a minimum of 30% of the annual contribution is made at the time of the initial payment and no more than 20% at the time of the last payment". Council Resolution 94-2 also provides that the Parties "... consider[] that an initial contribution is required prior to December 15 preceding each program year and that the final contribution should be made by October 1 of the program year".

ACTION: Discussion and approval of the draft resolution on 1997 Contribution.

DOCUMENTS:

- a) Draft Resolution: 1997 Contribution - Schedule of Payments
(distributed Dec. 2, 1996) C/C.01/96-10/RES/01/Rev.1
- b) Financial Rules - Rule 4.7 (previously distributed) N/A
- c) Resolution 94-2 - Funding of the Commission (previously distributed) N/A
- d) Resolution 96-09 - 1997 Contribution (distributed Aug. 16, 1996) C/96-00/RES/08
- e) Session 96-10 draft Summary Record, p.1 (distributed Dec. 2, 1996) C/C.01/96-10/SR/01/Rev.1

Item 8 1996 Annual Report

Under this item, the Parties are asked to review and approve, as appropriate, the draft table of content and proposed calendar for completion of the 1996 Annual Report developed by the Secretariat.

ACTION: Approval of the draft table of content and proposed calendar for completion of the 1996 Annual Report

DOCUMENTS:

- a) Draft table of content of the 1996 Annual Report (distributed Nov. 4, 1996) C/C.01/96-10/DISC/04
- b) Proposed calendar for completion of the 1996 Annual Report (distributed Nov. 4, 1996) C/C.01/96-10/PLAN/01
- c) Session 96-10 draft Summary Record, p.5 (distributed Dec. 2, 1996) C/C.01/96-10/SR/01/Rev.1

Item 9 Next Regular Session of Council

Under this item the Parties are asked to agree on a date and venue for the next Regular Session of Council. At the 96-10 Teleconference Session of the Alternate Representatives, the host country (US) indicated that the tentative venue for the session is currently the City of Burlington, Vermont. The host country also proposed June 18-20, 1997 as tentative dates.

ACTION: Agreement on the date and venue of the next Regular Session of Council (97-00).

DOCUMENTS:

- a) Council Resolution 96-10 (distributed Aug. 16, 1996) C/96-00/RES/07/Rev.3
- b) Council Regular Session Draft Summary Record, Rev. 1, p. 6 (to be distributed) C/96-00/SR/01/Rev.1
- c) Session 96-10 draft Summary Record, p.3 (distributed Dec. 2, 1996) C/C.01/96-10/SR/01/Rev.1
- d) Financial Assistance Guidelines and Eligibility C/C.01/96-11/DISC/03
- e) Public Notice: CEC Calls Public Meetings C/C.01/96-11/COMM/01

Item 10 North American Fund for Environmental Cooperation

Under this item the Parties are asked to consider the JPAC advice relative to the NAFEC and approve new guidelines, as appropriate. The Fund Coordinator will update the Parties on the last round of grant approvals.

ACTION: Discussion

DOCUMENTS:

- a) JPAC Advice 96-05: North American Fund for Environmental Cooperation (distributed Nov. 22, 1996) J/96-05/ADV/05/Rev.2

Item 11 Calendar of 1997 Sessions

Under this item the Parties are asked to review and approve, as appropriate, the following proposed tentative schedule of forthcoming teleconferences and meetings, based on the premise that the next regular session of Council will be held in June 1997:

January 16, 1997	Session 97-01 via teleconference
March 6-7, 1997	Session 97-02 in Montreal
May 8, 1997	Session 97-03 via teleconference
June 1997	1997 Council Regular Session

ACTION: Approval of proposed tentative schedule of forthcoming teleconferences and meetings

DOCUMENTS: No document

Item 12 Headquarters Agreement

Under this item, the Parties are asked to approve, as appropriate, a resolution to authorize the Executive Director to sign, on behalf of Council, the amended HQ Agreement further to written acceptance by each Party. Canada and the Secretariat will report on progress, outstanding issues and time frame to finalize the amended HQ Agreement. The draft of the amended HQ Agreement will be circulated to Mexico and the US once agreeable to Canada and the Secretariat.

ACTION: Approval of the draft Resolution

DOCUMENTS:

- a) Draft Resolution and covering memorandum (distributed Oct. 25, 1996) C/C.01/96-06/RES/01/Rev.1
- b) Approved Council Resolution 1:4 (previously distributed)
- c) Final draft of the Headquarters Agreement with Canada (to be distributed)) C/C.01/96-10/DISC/01
- d) Session 96-07 Final Summary Record, p. 3 (distributed Aug. 19, 1996) C/C.01/96-07/SR/01/final
- e) Session 96-10 draft Summary Record, p.4 (distributed Dec. 2, 1996) C/C.01/96-10/SR/01/Rev.1

Item 13 Tax Reimbursement Agreement with the US

Under this item the US and the Secretariat will report on developments. A decision from the US is awaited.

ACTION: Information

DOCUMENTS:

- a) Session 96-07 final Summary Record, p. 3 (distributed Aug. 19, 1996) C/C.01/96-07/SR/01/final
- b) Session 96-10 draft Summary Record, p.4 (distributed Dec. 2, 1996) C/C.01/96-10/SR/01/Rev.1

Item 14 Language Accuracy

Under this item the Parties are asked to approve, as appropriate, the Spanish version of the four CEC Rules distributed to the Parties on May 17, 1996.

ACTION: Approval of the Spanish version of the Rules.

DOCUMENTS:

- a) Council Rules of Procedures (distributed May 17, 1996) C/C.01/96-06/DISC/01
- b) JPAC Rules of Procedures (distributed May 17, 1996) C/C.01/96-06/DISC/02
- c) Financial Rules (distributed May 17, 1996) C/C.01/96-06/DISC/03
- d) Rules of Employment (distributed May 17, 1996) C/C.01/96-06/DISC/04
- e) Session 96-03 Final Summary Record, p.5 (distributed Apr. 4, 1996) C/C.01/96-03/SR/01/final
- f) Session 96-07 Final Summary Record, p. 4 (distributed Aug. 19, 1996) C/C.01/96-07/SR/01/final
- g) Session 96-10 draft Summary Record, p.5 (distributed Dec. 2, 1996) C/C.01/96-10/SR/01/Rev.1

Item 15 Model Rules for Dispute Settlements

Under this item the Parties are asked to discuss and approve, as appropriate, an action plan further to a proposal to begin negotiations in the week of January 27, 1997.

ACTION: Approval of an action plan

DOCUMENTS:

- a) Session 96-07 final Summary Record, p. 4 (distributed Aug. 19, 1996) C/C.01/96-07/SR/01/final
- b) Session 96-10 draft Summary Record, p.5 (distributed Dec. 2, 1996) C/C.01/96-10/SR/01/Rev.1

Item 16 Term of office of JPAC Members

Under this item the Parties are asked to address the issue of the term of office of JPAC members in order to ensure a smooth continuity in JPAC operations.

ACTION: Discussion

DOCUMENTS:

- a) JPAC Advice 96-07 (distributed Nov. 22, 1996) J/96-05/ADV/07/Rev.2

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|----|--|--------------------------|
| b) | Term of office for JPAC Members - Proposal (distributed Oct. 30, 1996) | J/96-05/DISC/04/Rev.1 |
| c) | Draft Summary Record of the 1996 Council Regular Session (96-00), p. 6 (distributed Oct. 11, 1996) | C/96-00/SR/01/Rev.1 |
| d) | Session 96-10 draft Summary Record, p.6 (distributed Dec. 2, 1996) | C/C.01/96-10/SR/01/Rev.1 |

Item 17 MOU - Comisión Centroamericana de Ambiente y Desarrollo

Under this item, the Parties are asked to approve, as appropriate, a resolution authorizing the Executive Director to sign a Memorandum of Understanding with the *Central American Commission for Environment and Development*.

ACTION: Approval of the draft resolution

DOCUMENTS:

- | | | |
|----|---|----------------------|
| a) | Draft Resolution authorizing the Executive Director to sign the MOU (to be distributed) | C/C.01/96-11/RES/01 |
| b) | Draft Memorandum of Understanding (to be distributed) | C/C.01/96-11/DISC/02 |

Item 18 North American Regional Action Plan for PCBs

Under this item the Parties are asked to discuss and approve, as appropriate, the North American Regional Action Plan for PCBs.

ACTION: Discussion and approval of the North American Regional Action Plan for PCB's.

DOCUMENTS:

- | | | |
|----|---|-----|
| a) | North American Regional Action Plan for PCB's (to be distributed) | N/A |
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Item 19 Next Session

Under this item the Parties are asked to approve, as appropriate, the date of January 16, 1997, for holding the next session via teleconference and to identify the key agenda items of that session.

ACTION: Approval of January 16, 1997 as the date of the next session.

DOCUMENTS: No document.

ALTERNATE REPRESENTATIVES SESSION 96-11

Montreal, Canada, December 16-17, 1996

Delegations List

CANADA

Alternate Representative Clarke, H. Anthony

Boulet, Georges (Environnement et faune, Québec)
Bowcott, Andy (Environment Canada)
John Buccini (N.A. Working Group on Sound Management of Chemicals)
Cerutti, Rita (Environment Canada)
Côté, Louise (Foreign Affairs and International Trade)
Harvey, André (Environnement et faune, Québec)
Hicks, Ron (Alberta Environmental Protection)
Langlois, Denis (Foreign Affairs and International Trade)
Moore, Jennifer (Environment Canada)
Rochon, Paul-André (Natural Resources, Canada)
Sauvé, Claude (Environnement et faune, Québec)

MEXICO

Alternate Representative Samaniego, José Luis

Aguilar, Mario (SEMARNAP)
Cabrera, Javier (PROFEPA)
Gomez, Sergio (SECOFI)
Hoth, Jürgen (Mexican Embassy, Ottawa)
Munguia, Norma (SEMARNAP)

UNITED STATES

Alternate Representative Nitze, William A.

Berman, David (Office of the Administrator)
Ford, Bob (Department of State)
Lieberman, Sue (Department of Interior)
Lysyshyn, Susan (US Embassy, Ottawa)
Moreno, Ignacia (Department of Justice)
Rowley, Anne (EPA General Counsel's Office)
Trejo, Maria (Department of Interior)
Wilson, Serena (NAFTA Coordinator)

17 December 1996

RESOLUTION OF THE COUNCIL 96-13

Signing of a new Headquarters Agreement between the Commission for Environmental Cooperation (CEC) and the Government of Canada

THE COUNCIL

NOTING that the Secretariat of the CEC and the Government of Canada have jointly developed a new Headquarters Agreement with a view to replacing the 2 September 1994 Headquarters Agreement between the Government of Canada and the Commission for Environmental Cooperation;

NOTING that a final draft of this new Headquarters Agreement will be provided shortly for review by the appropriate authorities of the Parties;

AUTHORIZES the Executive Director of the CEC to sign, on behalf of the CEC, this new Headquarters Agreement after it has been approved in writing by each of the Parties.

ADOPTED ON BEHALF OF THE COUNCIL:

Anthony Clarke (Government of Canada)

William Nitze (Government of the United States of America)

Jose Luis Samaniego (Government of the United Mexican States)

ATTESTED BY:

(S) Victor Lichtinger

Victor Lichtinger
Executive Director